

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CORNELIUS COREY,)
Plaintiff,)
v.) 1:23-cv-440
JOSHUA DENNIS, Unit Manager)
of Falls Unit, KENNETH C.)
MARTINELLI, Sergeant of)
Falls Unit, ZACHARY GUTHRIE,)
Captain of Falls Unit,)
NICHOLAS KEAGAN, Assistant)
Unit Manager of Falls Unit,)
each in their individual)
capacity,)
Defendants.)

ORDER

This matter is before the court for review of the Order and Recommendation ("Recommendation") filed on June 15, 2023, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 3.) The Recommendation was served on the Plaintiff on June 15, 2023. (Doc. 4.) Plaintiff has filed a document entitled, "Plaintiff's Motion in Opposition to the Magistrate Judge's Order," (Doc. 7), which the Court construes as an objection to the Recommendation.

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is

made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions."

The Court has appropriately reviewed the portions of the Recommendation to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 3), is **ADOPTED**. **IT IS FURTHER ORDERED** that Plaintiff's retaliation claim against Defendants Joshua Dennis and Nicholas Keagan shall be allowed to proceed but that all other claims shall be dismissed pursuant to 28 U.S.C. § 1915A for failing to state a claim upon which relief may be granted.

This the 7th day of August, 2023.

William L. Osten, Jr.
United States District Judge